

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

AMRO ELANSARI,

Plaintiff,

vs.

THE STATE OF MONTANA,
AUSTIN KNUDSEN (INDIVIDUAL
CAPACITY), ANNE W. YATES
(INDIVIDUAL CAPACITY),

Defendants.

CV 21-57-H-BMM-KLD

ORDER

United States Magistrate Judge Kathleen L DeSoto entered her Findings and Recommendations in this case on October 6, 2021 (Doc. 8). Judge DeSoto recommended that this matter should be DISMISSED WITH PREJUDICE and have the docket reflect that the Court certifies pursuant to Rule 24(a)(4)(B) of the Federal Rules of Appellate Procedure that any appeal of this decision would not be taken in good faith. (*Id.*) The Court adopted Judge DeSoto's Findings and Recommendations. (Doc. 12).

Plaintiff Amro Elansari ("Elansari") filed a motion for reconsideration. (Doc. 14). This Court requires parties to request leave in order to file a motion to reconsider. Local Rule 7.3(a). The Court will construe Elansari's motion as a motion

for leave to file a motion to reconsider. For the Court to grant a motion for leave to file a motion for reconsideration a plaintiff must demonstrate the following:

- (1) (A) the facts or applicable law are materially different from the facts or applicable law that the parties presented to the court before entry of the order for which reconsideration is sought, and (B) despite the exercise of reasonable diligence, the party applying for reconsideration did not know such fact or law before entry of the order; or
- (2) new material facts emerged or a change of law occurred after entry of the order.

Local Rule 7.3(b). “No motion for leave to file a motion for reconsideration may repeat any oral or written argument made by the applying party before entry of the order.” Local Rule 7.3(c).

Elansari raises no argument not raised in prior briefing. Elansari also fails to point to any legal error in the Court’s order. The Court will deny Elansari’s request for leave to file a motion to reconsider. (Doc. 14).

For the reasons set forth above, it is hereby **ORDERED** that:

1. Plaintiffs Motion for Reconsideration (Doc. 14) is **DENIED**.

DATED this 14th day of December, 2021.



Brian Morris, Chief District Judge
United States District Court